

# **INDEPENDENT REGULATORY REVIEW COMMISSION**

## **2022 ANNUAL REPORT**



**George D. Bedwick, Esq., Chairman**  
**John F. Mizner, Esq., Vice Chairman**  
**John J. Soroko, Esq.**  
**Murray Ufberg, Esq.**  
**Dennis A. Watson, Esq.**

**April 1, 2023**

Pennsylvania's General Assembly created the Independent Regulatory Review Commission to provide independent oversight of the rulemaking process in Pennsylvania and to establish an ongoing and effective review of agency regulations. The Commission's mission is to review agency regulations in order to determine whether they are in the public interest. By evaluating the conformity of rulemakings with law, and their impact on the public and regulated community, we assist the General Assembly and the Governor in achieving a favorable regulatory balance and ensure the integrity of the regulatory process. This annual report details the Commission's activities in 2022.

In 2022, the Commission reviewed a total of 86 rulemakings, including 38 proposed and 48 final regulations. 11,475 public comments were submitted on pending regulations in 2022. 17 comments were submitted by legislative standing committees and 233 legislative comments were submitted by individual House and Senate members.

Notable regulations reviewed by the Commission in 2022 include: Long-term Care Nursing Facilities (Department of Health #3312, 3316, 3335, and 3346); Medical Marijuana (Department of Health #3290); Protected Classes (Human Relations Commission #3339); and Water Quality Standard for Manganese and Implementation (Environmental Quality Board #3260). The Commission also received requests to review existing regulations from six standing committees of the General Assembly. The review of these requests under Section 8.1 of the Regulatory Review Act is ongoing.

Copies of all comments filed on these regulations, together with information on all actions taken concerning the regulations, is available on the Commission's website: [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

Looking ahead, the Commission will continue its role as an independent oversight body reviewing agency regulations and determining whether the criteria set forth in Pennsylvania's Regulatory Review Act have been satisfied.

# Proposed Regulations

The following is an explanation of the action codes for Proposed Regulations:

<b>NONE</b>	Commission did not submit comments.
<b>OPEN</b>	The regulation was received in 2022, with Commission action due in 2023.
*	Final-form Regulation delivered in 2022.

# Final Regulations

The following is an explanation of the action codes for Final Regulations:

<b>AAW</b>	<b>Approved After Withdrawal</b> — The final regulation was withdrawn, resubmitted, and approved.
<b>ABL</b>	<b>Approved by Law</b> — The final regulation was deemed to be approved because the Commission did not submit any comments on the proposed regulation, the regulation was not modified from its proposed form and the designated standing committees did not disapprove the final regulation.
<b>APP</b>	<b>Approved</b> — The final regulation was approved.
<b>DIS</b>	<b>Disapproved</b> — The final regulation was disapproved by the Commission at its public meeting.
<b>EC</b>	<b>Emergency Certified</b> — A regulation certified by the Attorney General or the Governor pursuant to Section 6(d) of RRA as necessary for compliance with a court order or statutory mandate, or to respond to an emergency.
<b>OPEN</b>	Regulation was received in 2022 with Commission Action due in 2023.
<b>N/A</b>	Indicates this was a final-omitted regulation and was, therefore, not published in the <i>Pennsylvania Bulletin</i> for public comment.
<b>NONE</b>	The Commission did not submit any comments on the proposed regulation.
<b>WAD</b>	<b>Withdrawn After Disapproval</b> — After an initial disapproval, the regulation was withdrawn.
<b>WDN</b>	<b>Withdrawn</b> — A final regulation submitted but withdrawn prior to Commission action. A withdrawn final regulation may be resubmitted within two years after the close of the public comment period. A withdrawn final-omitted regulation may be resubmitted as a new final-omitted regulation at any time.

# Proposed Regulations

## Department of Conservation and Natural Resources

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
08/17/22	#7B-10	3353	Conservation of Pennsylvania Native Wild Plants	NONE

Updates Pennsylvania native wild plant species classification lists, including certain scientific names, common names, and reference sources.

## Department of Environmental Protection **Environmental Quality Board**

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
10/20/21	#7-565	3318	Coal Refuse Disposal Revisions	NONE*

Implements Act 74 of 2019 to resolve differences between Pennsylvania's regulations and Federal regulations relating to temporary cessation of operations at coal refuse disposal sites and clarify items related to the design of these sites.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
01/04/22	#7-566	3325	Exclusion for Identification and Listing Hazardous Waste at MAX Environmental Technologies, Inc. Bulger and Yukon Facilities	3/24/22

Removes the wastewater treatment sludge filter cake at the MAX Bulger and Yukon facilities from the list of hazardous wastes as long as specific conditions demonstrating the filter cake does not exhibit any hazardous waste characteristics are met.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
01/04/22	#7-563	3327	National Pollutant Discharge Elimination System (NPDES) Schedules of Compliance	NONE

Amends National Pollutant Discharge Elimination System permit schedules of compliance to allow the Department of Environmental Protection to approve permits for municipal combined sewer overflow discharges with compliance schedules beyond the 5-year period currently established in existing regulations, but not longer than the implementation period in the discharger's approved long-term control plan.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
01/04/22	#7-564	3328	Municipal Waste Rural Transfer Facility Permit-By-Rule	NONE*

Creates a permit-by-rule framework for authorizing rural transfer facilities operations.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
01/04/22	#7-568	3329	VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Large Petroleum Dry Cleaning Facilities and Synthetic Organic Chemical Manufacturing Industry Processes for the 2015 Ozone NAAQS	05/04/22*

Establishes presumptive volatile organic compound reasonably available control technology (RACT) requirements and RACT emissions limitations for shipbuilding and ship repair surface coatings operations, large petroleum dry cleaning facilities, and synthetic organic chemical manufacturing industry air oxidation, distillation and reactor processes.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
02/15/22	#7-569	3334	Safe Drinking Water PFAS MCL Rule	05/27/22*

Sets maximum contaminant level goals and maximum contaminant levels for perfluorooctanoic acid and perfluorooctanesulfonic acid.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
07/12/22	#7-572	3348	Administration of the Land Recycling Program Vanadium MSC Rule	NONE

Updates the toxicity value for vanadium and the Statewide health standard medium-specific concentrations pertaining to cleanup of soil and groundwater vanadium contamination.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
08/10/22	#7-574	3352	Radiological Health Fees	10/26/22

Increases the annual fees for radiation-producing machine and service provider (vendor) registrations, accelerator licenses, and radioactive material licenses, and increases the hourly rate professional fee associated with certain full cost recovery licenses.

## Department of Health

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
03/02/22	#10-223	3335	Long-Term Care Nursing Facilities	05/18/22*

Eliminates provisions that are duplicative of Federal requirements; updates requirements for licensure and changes in ownership for existing facilities; and addresses safety and infection prevention and control requirements.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
05/11/22	#10-224	3343	Long-Term Care Nursing Facilities	07/27/22*

Eliminates provisions that are duplicative and conflict with Federal requirements; increases the required number of registered nurses, licensed practical nurses and nurse aides at facilities; requires a full-time qualified social worker at a facility; requires facilities to have administrative policies and procedures that include introductions and orientation for new residents to key personnel and services; and adds an anti-discrimination policy.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
06/09/22	#10-236	3346	Certified Lifeguards	NONE

Replaces specific names of lifeguard certifying authorities with the term "organizations."

## Department of Human Services

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
06/23/22	#14-548	3347	Psychiatric Rehabilitation Services	09/07/22

Amends Chapter 5230 to allow individuals who are 14 years of age or older but under 18 years of age who meet the admission requirements to access psychiatric rehabilitation services (PRS) and amends the diagnoses that allow an individual to access PRS without use of the exception process.

## Department of Labor and Industry

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
11/05/21	#12-114	3322	Minimum Wage	01/19/22*

Updates the regulations governing tipped employees and clarifies how the base hourly rate for overtime of salaried employees is calculated.

## Department of State

### **Bureau of Professional and Occupational Affairs**

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
11/04/22	#16A-66	3361	Consideration of Criminal Convictions	OPEN

Implements a schedule of criminal convictions that may constitute grounds to refuse to issue, suspend or revoke a license, certificate, registration or permit for each of the 29 professional and occupational licensing boards/commissions, sets forth the process by which boards and commissions will conduct individual assessments, and establishes a uniform fee for processing preliminary determinations pursuant to Act 53 of 2020.

### State Board of Auctioneer Examiners

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
03/10/22	#16A-6411	3337	Fees	05/25/22*

Increases application fees to reflect updated costs of processing applications and increases all the Board's biennial renewal fees to ensure its revenue meets or exceeds the Board's current and projected costs.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
05/11/22	#16A-6412	3344	Licensure by Endorsement	07/20/22

Provides for licensure by endorsement for applicants from other states, territories and countries.

### State Board of Chiropractic

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
10/26/22	#16A-4322	3360	Child Abuse Reporting Requirements	OPEN

Updates the Board's existing child abuse reporting regulations to be consistent with amendments to the Child Protective Services Laws.

### State Board of Cosmetology

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
04/14/22	#16A-4520	3342	Fees	NONE*

Amends the existing schedule of fees to provide for graduated application and biennial renewal fee increases as well as other miscellaneous fee increases related to the operation of schools and salons.

### State Board of Crane Operators

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
03/10/22	#16A-7104	3338	Licensure by Endorsement – Crane Operators	06/01/22

Provides for licensure by endorsement to applicants from other states, territories, and countries.

## State Board of Medicine

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
11/30/21	#16A-4953	3324	Registration of Naturopathic Doctors	02/17/22

Implements the Naturopathic Doctor Registration Act.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
01/26/22	#16A-4956	3332	Acupuncturists and Practitioners of Oriental Medicine	04/13/22

Updates and clarifies existing regulations, addresses changes to the options for demonstrating English language proficiency, and incorporates amendments to the Acupuncture Licensure Act relating to liability insurance and circumstances when diagnosis of a condition by a physician, dentist, or podiatrist must occur.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
08/01/22	#16A-4958	3351	Licensure by Endorsement	10/12/22

Provides for licensure by endorsement for applicants from other states, territories, and countries.

## State Board of Nursing

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
11/28/22	#16A-5143	3362	Licensure by Endorsement and Reactivation	OPEN

Amends existing regulations to address requirements for reactivation of a license and adds provisions relating to licensure by endorsement, provisional endorsement license, and licensure by endorsement fee.

## State Board of Occupational Therapy Education and Licensure

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
01/26/22	#16A-6713	3331	Licensure by Endorsement	04/06/22

Provides for licensure by endorsement for applicants from other states, territories and countries pursuant to Act 41 of 2019.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
09/27/22	#16A-679	3358	Child Abuse Reporting Requirements	NONE

Updates the Board's existing child abuse reporting regulations to be consistent with amendments to the Child Protective Services Law.



## State Board of Osteopathic Medicine

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
09/27/22	#16A-5326	3356	Child Abuse Reporting Requirements	NONE

Updates the Board's existing child abuse reporting regulations to be consistent with amendments to the Child Protective Services Law.

## State Board of Psychology

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
09/27/22	#16A-6322	3357	Child Abuse Reporting Requirements	NONE

Updates the Board's existing child abuse reporting regulations to be consistent with amendments to the Child Protective Services Law.

## State Board of Veterinary Medicine

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
03/10/22	#16A-5726	3336	Euthanasia	06/01/22

Implements amendments to the Animal Destruction Method Authorization Law relating to registration of animal protection organizations and licensure of euthanasia technicians.

## Insurance Department

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
01/26/22	#11-260	3333	Term and Universal Life Insurance Reserve Financing Standards	04/06/22*

Establishes uniform, national standards to facilitate the Department's regulation of term and universal life insurance reserve funding.

## Pennsylvania Gaming Control Board

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
03/25/22	#125-240	3340	Private Testing and Certification Facilities	06/15/22

Provides standards for the registration of Private Testing and Certification Facilities in the Commonwealth.

## Pennsylvania Human Relations Commission

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
03/23/22	#52-13	3339	Protected Classes Under the PHRA and PFEOA	06/08/22*

Creates a new subchapter to define the terms "sex," "race" and "religious creed."

## Pennsylvania Liquor Control Board

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
11/09/21	#54-95	3323	Limited Wineries	NONE*

Moves regulations pertaining to limited wineries from Chapters 3, 5 and 11 to a new subchapter in Chapter 5 and updates the regulations to make them more consistent with the Liquor Code.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
05/24/22	#54-96	3345	Promotion with Licensees	NONE*

Updates the process by which licensed vendors may promote products with licensees.

## Pennsylvania Public Utility Commission

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
01/25/22	#57-335	3330	Rulemaking Regarding Hazardous Liquid Public Utility Safety Standards at 52 Pa. Code Chapter 59; Notice of Proposed Rulemaking	06/13/22

Establishes design and construction standards for hazardous liquid public utilities constructing new pipelines and converting, relocating, replacing or otherwise changing existing pipelines, and also sets forth standards for reporting, pressure testing, operations and maintenance, qualification of personnel, and corrosion control.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
07/25/22	#57-337	3349	Application of 52 Pa. Code Section 3.501 to Certificated Water and Wastewater Utility Acquisitions, Mergers, and Transfers	12/12/22

Streamlines requirements for established utilities that seek to acquire another water service provider or wastewater service provider and reduces requirements that are no longer necessary.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
07/27/22	#57-336	3350	Proposed Water Audit Methodology Regulation 52 Pa. Code 65.20a-- Water Conservation Measures	12/05/22

Establishes water conservation measures as regulatory obligations for all water public utilities; requires reporting of unaccounted for water by Class A, B and C water public utilities and each municipal corporation providing jurisdictional water service; and establishes a water loss audit obligation for Class A public water utilities.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date
08/29/22	#57-334	3355	Use of Fully Projected Future Test Year, 52 Pa. Code Chapter 53.51-53.56a	OPEN

Revisions to add filing requirements for a fully projected future test year (FPFTY), historic test year (HTY), and future test year (FTY) cases.

# Final Regulations

## Department of Agriculture

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
02/18/22	#2-195	3317	State Food Purchase Program Regulations	NONE	ABL 03/20/22

Increases the income threshold cap for the State Food Purchase Program from 150% of the poverty level established by the United States Department of Agriculture to 185%.

## Department of Education

### **Department of Education**

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
02/10/22	#6-349	3315	Charter Schools and Cyber Charter Schools	11/17/21	APP 03/21/22

Clarifies elements of the Charter School Law and sets conditions that emphasize accountability, equity, quality and transparency.

### **State Board of Education**

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
01/27/22	#6-346	3283	Certification of Professional Personnel	02/17/21	APP 03/10/22

Aligns existing provisions with statutory changes to the Public School Code and establishes new training requirements related to culturally responsive and sustaining education, structured literacy and professional ethics.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
04/14/22	#6-347	3303	Academic Standards and Assessment	08/05/21	APP 05/19/22

Updates existing science standards, clarifies expectations for high school graduation, and aligns the regulation with statutory changes.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
08/22/22	#6-352	3354	Student Attendance and Students and Student Services	N/A	APP 10/20/22

Conforms existing regulations with amendments to the definition of "compulsory school age" enacted by Act 16 of 2019.

**Department of Environmental Protection**  
**Board of Coal Mine Safety**

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
06/16/22	#7-558	3292	Prohibiting Electronic Liquid-Vaporizing Devices at Underground Bituminous Coal Mines	05/12/21	APP 07/21/22

Amends the smoking prohibition at underground bituminous coal mines to expressly prohibit the use or possession of liquid vaporizing devices.

**Environmental Quality Board**

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
12/14/21	#7-525	3266	Control of VOC Emissions from Gasoline Dispensing Facilities (Stage I and Stage II)	12/30/20	APP 01/26/22

Amends regulations relating to control of volatile organic compound emissions at gasoline dispensing facilities during loading of underground gasoline storage tanks, filling of motor vehicles at the pump, and during and after decommissioning of Stage II vapor recovery equipment.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
03/15/22 06/16/22	#7-544	3256	Control of VOC Emissions from Unconventional Oil and Natural Gas Sources	08/26/20	WDN 05/04/22 APP 07/21/22

Adds reasonably available control technology (RACT) requirements and RACT emission limitations for unconventional oil and natural gas sources of volatile organic compounds.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
06/16/22	#7-565	3318	Coal Refuse Disposal Revisions	NONE	APP 07/21/22

Implements Act 74 of 2019 to resolve differences between Pennsylvania's regulations and Federal regulations relating to temporary cessation of operations at coal refuse disposal sites and clarifies items related to the design of these sites.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
08/10/22	#7-553	3260	Water Quality Standard for Manganese and Implementation	10/26/20	DIS 09/15/22 WAD 11/18/22

Amends the water quality standard for manganese and provides two alternatives for compliance with the standard.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
08/10/22	#7-561	3310	Additional RACT Requirements for Major Sources of NOx and VOCs for the 2015 Ozone NAAQS	11/12/21	APP 09/15/22

Adopts additional presumptive Reasonably Available Control Technology (RACT) requirements and RACT emission limitations for certain major stationary sources of oxides of nitrogen and volatile organic compound emissions.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
08/10/22	#7-564	3328	Municipal Waste Rural Transfer Facility Permit-By-Rule	NONE	ABL 09/14/22

Creates a permit-by-rule framework for authorizing rural transfer facilities operations.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
10/13/22	#7-568	3329	VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Large Petroleum Dry Cleaning Facilities and Synthetic Organic Chemical Manufacturing Industry Processes for the 2015 Ozone NAAQS	05/04/22	APP 11/17/22

Establishes presumptive volatile organic compound reasonably available control technology (RACT) requirements and RACT emissions limitations for shipbuilding and ship repair surface coatings operations, large petroleum dry cleaning facilities, and synthetic organic chemical manufacturing industry air oxidation, distillation and reactor processes.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
10/13/22	#7-569	3334	Safe Drinking Water PFAS MCL Rule	05/27/22	APP 11/17/22

Sets maximum contaminant level goals and maximum contaminant levels for perfluorooctanoic acid and perfluorooctanesulfonic acid.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
10/13/22	#7-579	3359	Control of VOC Emissions from Conventional Oil and Natural Gas Sources	N/A	APP 11/17/22

Adopts reasonably available control technology (RACT) requirements and RACT emission limitations for conventional oil and natural gas sources of volatile organic compounds.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
12/07/22	#7-580	3363	Control of VOC Emissions from Conventional Oil and Natural Gas Sources	EC	OPEN

Adopts reasonably available control technology (RACT) requirements and RACT emission limitations for conventional oil and natural gas sources of volatile organic compounds.

## Department of Health

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
06/13/22 09/19/22	#10-219	3290	Medical Marijuana	05/05/21	WDN 7/13/22 AAW 10/20/22

Establishes permanent regulations under the Medical Marijuana Act which will replace the temporary regulations that are set to expire on November 20, 2021.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
09/27/22	#10-221	3312	Long-Term Care Nursing Facilities	09/29/21	APP 10/28/22

Amends existing regulations to adopt federal requirements for long-term care facilities, update existing definitions, increase the number of direct care hours that facilities are required to provide to residents per shift, and clarify that nursing staff must possess the competencies and skills necessary to provide care.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
09/27/22	#10-222	3316	Long-Term Care Nursing Facilities	12/08/21	APP 10/28/22

Eliminates provisions that are outdated and duplicative of Federal requirements and adds Chapter 204 to update requirements for alterations, renovations or construction of long-term care nursing facilities.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
09/27/22	#10-223	3335	Long-Term Care Nursing Facilities	05/18/22	APP 10/28/22

Eliminates provisions that are duplicative of Federal requirements; updates requirements for licensure and changes in ownership for existing facilities; and addresses safety and infection prevention and control requirements.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
09/27/22	10-224	3343	Long-Term Care Nursing Facilities	07/27/22	APP 10/28/22

Eliminates provisions that are duplicative and conflict with Federal requirements; increases the required number of registered nurses, licensed practical nurses and nurse aides at facilities; requires a full-time qualified social worker at a facility; requires facilities to have administrative policies and procedures that include introductions and orientation for new residents to key personnel and services; and adds an anti-discrimination policy.

## Department of Human Services

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
01/24/22	#14-550	3282	Definitions and Redetermination	NONE	ABL 03/09/22

Expands the types of interviews available to Temporary Assistance for Needy Families applicants and recipients to meet application and redetermination requirements.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
10/24/22	#14-549	3308	Interrelationship of Providers	NONE	ABL 11/30/22

Rescinds the provision in existing regulations which prohibits providers from leasing space within a provider's office to another provider.



## Department of Labor and Industry

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
02/17/22	#12-114	3322	Minimum Wage	01/19/22	APP 03/21/22

Updates the regulations governing tipped employees and clarifies how the base hourly rate for overtime of salaried employees is calculated.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
12/15/21	#12-116	3326	Uniform Construction Code	N/A	APP 01/26/22

Updates the Uniform Construction Code (UCC) by adopting nearly all provisions of the 2018 International Code Council's model codes, as directed by the UCC Review and Advisory Council.

## Department of State

### **State Architects Licensure Board**

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
08/31/22	#16A-4111	3263	Digital Signature and Seal	10/21/20	APP 10/20/22

Updates current regulations on seals to be consistent with other design professional boards and incorporates the National Council of Examiners for Engineering and Surveying Model Rule on seals on documents.

### **State Board of Auctioneer Examiners**

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
09/19/22	#16A-6411	3337	Fees	05/25/22	APP 10/20/22

Increases application fees to reflect updated costs of processing applications and increases all the Board's biennial renewal fees to ensure its revenue meets or exceeds the Board's current and projected costs.

### **State Board of Barber Examiners**

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
12/14/21	#16A-4211	3306	Fees	08/18/21	APP 01/26/22

Amends existing regulations to provide for graduated application fee increases and graduated biennial renewal fee increases.

### State Board of Cosmetology

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
08/10/22	#16A-4520	3342	Fees	NONE	ABL 09/14/22

Amends the existing schedule of fees to provide for graduated application and biennial renewal fee increases as well as other miscellaneous fee increases related to the operation of schools and salons.

### State Board of Dentistry

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
07/07/22	#16A-4634	3277	Fees	01/31/21	APP 09/15/22

Updates application and biennial renewal fees and rescinds fees for issuance of permits.

### State Board Of Examiners of Nursing Home Administrators

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
01/12/22	#16A-6219	3250	Continuing Education	04/01/20	APP 03/10/22

Reduces the minimum number of continuing education clock hours from 48 to 36 hours per biennium, clarifies biennial renewal procedures, and addresses continued competence for individuals whose licenses have been expired or inactive for 5 or more years.

### State Board of Funeral Directors

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
11/30/21	#16A-4824	3293	Child Abuse Reporting Requirements	05/12/21	APP 01/26/22

Updates existing regulations to be consistent with amendments to the Child Protective Services Law.

### State Board of Landscape Architects

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
08/31/22	#16A-6112	3265	Digital Signature and Seal	10/21/20	APP 10/20/22

Updates current regulations on seals to be consistent with other design professional boards and incorporates the National Council of Examiners for Engineering and Surveying Model Rule on seals on documents.

## State Board of Medicine

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
10/05/22	#16A-4947	3286	Orthotic Fitter Temporary Permits and Training	03/10/21	APP 11/17/22

Streamlines the approval of precertification education programs and amends provisions related to temporary practice permits.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
11/30/21	#16A-4941	3287	Child Abuse Reporting Requirements	03/31/21	APP 01/26/22

Updates existing regulations to be consistent with amendments to the Child Protective Services Law.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
10/12/22	#16A-4948	3313	Examinations	NONE	ABL 11/16/22

Conforms the Board's regulations to national standards and to reflect the current licensure examination accepted by the Board (United States Medical Licensing Examination) and clarifies requirements and standards for examinations that are no longer administered but still valid for licensure.

## State Board of Nursing

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
11/30/21	#16A-5140	3288	Child Abuse Reporting Requirements	03/31/21	APP 01/26/22

Updates existing regulations to be consistent with amendments to the Child Protective Services Law.

### State Board of Pharmacy

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
04/14/22	#16A-5429	3272	Administration of Injectable Medications, Biologicals and Immunizations	12/23/20	APP 05/19/22

Conforms existing regulations to statutory amendments which allow pharmacists and qualified pharmacy interns to administer influenza immunizations to children ages 9 - 18 and sets forth corresponding liability insurance requirements for pharmacists who administer immunizations, biological and injectable medications.

### State Board of Podiatry

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
04/27/22	#16A-4417	3257	Continuing Education	07/29/20	APP 06/16/22

Reduces the required continuing education credits per biennium from 50 to 45 hours, eliminates the restriction on the number of hours that can be completed via distance learning and courses, and clarifies circumstances under which a person may request an extension for all or a portion of continuing education for a biennium.

### State Board of Social Workers, Marriage/Family Therapists, and Professional Counselors

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
11/30/21	#16A-6919	3281	Child Abuse Reporting Requirements	03/03/21	APP 01/26/22

Updates the Board's existing regulations on child abuse reporting to be consistent with the Child Protective Services Law.

### State Board of Vehicle Manufacturers, Dealers, and Salespersons

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
10/26/22	#16A-6015	3305	Fee Increase	08/11/21	APP 12/08/22

Increases application and biennial renewal fees on a graduated basis.

## State Registration Board for Professional Engineers, Land Surveyors, and Geologists

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
08/31/22	#16A-4217	3264	Digital Signature and Seal	10/21/20	APP 10/20/22

Updates current regulations on seals to be consistent with other design professional boards and incorporates the National Council of Examiners for Engineering and Surveying Model Rule on seals on documents.

### Environmental Hearing Board

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
04/25/22	#106-13	3301	Practice and Procedure	06/16/21	APP 06/16/22

Amends existing rules and adds new procedural rules to provide parties with more specific guidance on how to represent their interests before the Board and to improve the Board's rules of practice and procedure.

### Insurance Department

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
05/02/22	#11-260	3333	Term and Universal Life Insurance Reserve Financing Standards	04/06/22	APP 6/16/22

Establishes uniform, national standards to facilitate the Department's regulation of term and universal life insurance reserve funding.

### Pennsylvania Gaming Control Board

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
04/14/22	#125-242	3341	Board Operations and Organizations; General Rules of Practice; Casino Self-Exclusion; Interactive Gaming Self-Exclusion; Self-Exclusion; Fantasy Contest Self-Exclusion	N/A	WDN 04/29/22

Removes the Board's Post Office Box from the mailing address for the Board and replaces it with the physical address of the Board's Harrisburg office.

## Pennsylvania Human Relations Commission

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
10/18/22	#52-13	3339	Protected Classes Under the PHRA and PFEOA	06/08/22	APP 12/08/22

Creates a new subchapter to define the terms "sex," "race" and "religious creed."

## Pennsylvania Liquor Control Board

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
05/03/22	#54-95	3323	Limited Wineries	NONE	APP 06/16/22

Moves regulations pertaining to limited wineries from Chapters 3, 5 and 11 to a new subchapter in Chapter 5 and updates the regulations to make them more consistent with the Liquor Code.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
10/25/22	#54-96	3345	Promotion with Licensees	NONE	ABL 11/30/22

Updates the process by which licensed vendors may promote products with licensees.

## Pennsylvania Public Utility Commission

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
03/28/22	#57-331	3297	Rulemaking to Comply with the Competitive Classification of Telecommunication Retail Services Under 66 Pa. C.S Section 3016(a); General Review of Regulations 52 Pa. Code Chapters 53, 63 and 64	07/23/21	APP 05/19/22

Amends existing regulations to respond to changes in competitive market conditions in the telecommunications industry.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
04/11/22	#57-330	3298	Rulemaking to Implement Act 120 of 2018	08/02/21	APP 05/19/22

Establishes a program for the removal of customer-owned lead service lines and establishes the standard under which a jurisdictional wastewater utility may seek to replace, rehabilitate or repair customer-owned damaged wastewater service laterals.

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
05/20/22 06/16/22	#57-332	3304	Diversity Reporting for Major Jurisdictional Utilities; Notice of Proposed Rulemaking	08/18/21	WDN 06/16/22 APP 07/21/22

Requires major jurisdictional utilities to annually report the progress of their respective diversity programs to the PA PUC in a standardized manner.

### Unemployment Compensation Board of Review

Date Received	Agency & Regulation #	IRRC #	Title	Comments Filed Date	Final Actions
12/03/21	#12-112	3295	Appeals from Determinations of Department	05/12/21	APP 01/26/22

Clarifies the filing date of unemployment compensation appeals filed by email and differentiates those appeals from appeals filed through a new electronic system.